

UNITED STATES DISTRICT COURT FOR NORTHERN CA

CR14-0306-WHA

US ATTORNEY

CR-08th-WHA00222

VS

Hon. William Alsup

LUKE BRUGNARA

MOTION TO APPOINT COUNSEL FOR
DEFENDANT LUKE BRUGNARA,
MOTION FOR BAIL RECONSIDERATION

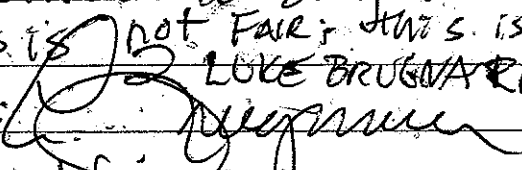
This Court appointed Erik Babcock as counsel for Luke Brugnara four months ago. Luke Brugnara ("Luke") has made numerous requests on the record in Court, and by motion, to have this Court order Babcock to meet with Luke in the jail to effectively prepare for trial. Babcock continues to disregard and flout this Court's orders regarding Luke, as he refuses to meet with Luke, and has not for the past month since Luke was remanded on an alleged hypertechnical violation of bail. Luke has been denied effective counsel as guaranteed under the United States Constitution. Luke has been denied a speedy trial of his peers as guaranteed under the United States Constitution. Babcock has not given Luke one page (0) of Discovery, Motions, Orders, Indictments, Replies or any other written or filed documents in Luke's case for four months; never - not one page. This is outrageous, and ethically, and legally unacceptable. This Court continues to enable and facilitate Babcock's ignoring and abandonment/forsaking of Luke by REFUSING to: 1) Allow Luke reasonable bail conditions to borrow funds to hire effective PRIVATE counsel of his choosing.

* Babcock sent an associate with only 12 months of experience as a lawyer to an important court hearing to Luke's dire detriment, and the frustration of this Court, two weeks ago.

2.) Not ordering Babcock to meet with Luke to prepare effectively for trial. Four months have passed with no (Ø) contact/meetings^(in jail). This is illegal and violation of Luke's Constitutional Rights ~~which~~ which this Court is enabling by denying reasonable bail AND denying Luke counsel that will represent him and meet with him and file appropriate motions and appear at important hearings.*

Luke requests that this Court immediately release him on reasonable bail conditions to borrow funds to hire effective private counsel; and to immediately replace Babcock with another attorney; and remove Babcock permanently from the CJA panel; and sanction and hold Babcock in contempt with jail.

Luke has been locked in a dungeon in Oakland for 4+ months now with no phone access (15 minutes every other day at odd, non-business hours -- collect calls only) to DENY him ^{the} right to hire effective, private counsel by denying reasonable bail conditions. Luke has been "appointed" by this Court ineffective, criminally negligent counsel to ASSIST the prosecution in this case by deliberately ignoring and refusing to meet with Luke and deliberately and intentionally providing no Orders, Replies, Motions or Discovery in a complex white collar case, ^{to Luke} and filing Motions which have upset and irritated this Judge (as appointed counsel) as Luke rots in jail UNFAIRLY, and this circus continues until Luke "breaks" or "folds". This is NOT justice. Luke needs reasonable bail to

hire PRIVATE, interested, zealous, effective counsel as guaranteed under the United States Constitution. This is NOT Fair; this is not justice or consistent with 9th Circuit precedence, or common sense of ethics and fairness. SUBMITTED:  LUKE BRUGNARA